

10-24-00 525 Rec'd PCT/PTO 23 OCT 2000

FORM PTO-1390 (REV 10-2000)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTORNEY'S DOCKET NUMBER <i>POH 211</i>
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371				U.S. APPLICATION NO. (if known; see 37 CFR 1.5) 09/673986
INTERNATIONAL APPLICATION NO. <i>PCT/DE99/00834</i>	INTERNATIONAL FILING DATE <i>23 MARCH 1999</i>	PRIORITY DATE CLAIMED <i>23 APRIL 1998</i>		
TITLE OF INVENTION <i>CONTACTLESS MEASUREMENT OF WALL THICKNESS</i>				
APPLICANT(S) FOR DO/EO/US <i>Bernd KIESSLING; Peter HERMANN; Carsten TECH</i>				
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:				
<ol style="list-style-type: none"> <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. <input type="checkbox"/> This is an express request to promptly begin national examination procedures (35 U.S.C. 371(f)). <input checked="" type="checkbox"/> The US has been elected by the expiration of 19 months from the priority date (PCT Article 31). <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ol style="list-style-type: none"> <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). <input checked="" type="checkbox"/> has been communicated by the International Bureau. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ol style="list-style-type: none"> <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). <input type="checkbox"/> have been communicated by the International Bureau. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. <input type="checkbox"/> have not been made and will not be made. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). <input checked="" type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). 				
Items 11 to 16 below concern document(s) or information included:				
<ol style="list-style-type: none"> <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. <input type="checkbox"/> A FIRST preliminary amendment. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment. <input type="checkbox"/> A substitute specification. <input type="checkbox"/> A change of power of attorney and/or address letter. <input checked="" type="checkbox"/> Other items or information: <i><x> Form PTO-1449</i> <i><x> COPY OF THE INTERNATIONAL SEARCH REPORT</i> <i><x> REQUEST FOR ACCEPT PATENT APPLICATION FOR ENTERING</i> <i>US NATIONAL PHASE</i> <i><x> CLAIM OF PRIORITY</i> 				

U.S. APPLICATION NO. (If known) sec 37 CFR 1.57 09767395		INTERNATIONAL APPLICATION NO. PCT/DE 99/00834	ATTORNEY'S DOCKET NUMBER P04211
17. <input checked="" type="checkbox"/> The following fees are submitted:		CALCULATIONS PTO USE ONLY	
BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5) :			
Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$1000.00			
International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$860.00			
International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$710.00			
International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$690.00			
International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00			
ENTER APPROPRIATE BASIC FEE AMOUNT =		\$ 860.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).		\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE
Total claims	6 - 20 =		X \$18.00
Independent claims	2 - 3 =		X \$80.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)		+ \$270.00	\$ 270.00
TOTAL OF ABOVE CALCULATIONS =		\$ 1130.00	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.		\$ 565.00	
SUBTOTAL =		\$ 565.00	
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).		\$	
TOTAL NATIONAL FEE =		\$ 565.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property		+ \$ 40.00	
TOTAL FEES ENCLOSED =		\$ 605.00	
		Amount to be refunded:	\$
		charged:	\$
a. <input checked="" type="checkbox"/> A check in the amount of \$ 605.00 to cover the above fees is enclosed.			
b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$_____ to cover the above fees. A duplicate copy of this sheet is enclosed.			
c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>11-0224</u> . A duplicate copy of this sheet is enclosed.			
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.			
SEND ALL CORRESPONDENCE TO:			
<p style="text-align: center;">HORST M. KASPER, Ph.D. Patent Attorney 13 Forest Drive Warren, N.J. 07059-5832</p>			
 SIGNATURE: HORST M. KASPER NAME 28, 559 REGISTRATION NUMBER			

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Bernd Kiessling et al.
Serial No: Art Unit:
Filing Date:
Title: CONTACTLESS MEASUREMENT OF WALL THICKNESS
Examiner:

Priority application: Country: Germany
Priority application number: 198 18 190.6

Priority date: 23 April 1998
PCT Application no: PCT/DE99/00834
PCT Application filing date: 23 March 1999

October 23, 2000

Poh211T1

TRANSMITTAL LETTER

Hon. Commissioner of Patents and Trademarks
BOX PCT
Washington, D.C. 20231

SIR:

Transmitted herewith for filing is:

- <X> Form PTO-1390
- <X> English Translation of PCT Application No. PCT/DE99/00834 (14 pages including 1 cover page No. WO 99/56076 12 pages of the specification and claims, 1 sheet of drawings)
- <X> International Preliminary Examination Report (Form PCT/IPEA/409 - 5 sheets, and 10 sheets of Annexes)
- <X> English Translation of Annexes to the International Preliminary Examination Report (14 pages)

	Basic fee:	\$430.00
TOTAL CLAIMS: 6 - 20 =	X \$ 9.00 =	\$
INDEPENDENT CLAIMS: 2 - 3 =	X \$40.00 =	\$
MULTIPLE DEPENDENT CLAIMS:		+ \$135.00
<X> Request to Accept Patent Application for Entering U.S. National Phase under 35 USC § 371		
<X> Claim of Priority		
<X> Inventor Declaration - German Language Declaration		
<X> Form PTO-1449		
<X> Copy of International Search Report		
<X> Assignment		\$ 40.00
<X> Form PTO-1595		
(X) Enclosed is a check to cover the fee in the amount of \$605.00.		

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(X) The applicant hereby petitions the Commissioner of Patents and Trademarks to extend the time for response to any Office Action outstanding in the above captioned matter as necessary to avoid abandonment of the application. Please charge my deposit account No.11-0224 in the amount required to cover the cost of the extension. Any deficiency or overpayment should be charged or credited to the above account.

(X) The Commissioner is hereby authorized to charge any fees under 35 U.S.C. 1.16, and 1.17, after a mailing of a Notice of Allowance under 35 USC 1.18 or any additional fees which may be required during the entire pendency of the application, or credit any overpayment, to Acct. No.11-0224. A duplicate copy of this sheet is enclosed. If and only if account funds should be insufficient, immediately contact our associate, Lisa Zumwalt, at (703)415-0579, who will pay immediately to avoid deprivation of rights.

() Please charge my Deposit Account No.11-0224 in the amount of \$ _____. A duplicate copy of this sheet is enclosed.
A signature or signatures required for the above recited document(s) is (are) provided herebelow. Such signature(s) also provide(s) ratification for any required signature appearing to be defective in the above recited document(s).

Horst M. Kasper, 13 Forest Drive, Warren, N.J.07059
Reg. No. 28,559 Tel.(908)757-2839

Express Mail Certification: I hereby certify that the correspondence attached hereto is being deposited with the USPS "Express Mail Post Office to Addressee" on the date indicated below and is addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231, on October 23, 2000 "Express Mail Mailing Label No":

TB417242408US

Signature: Radosław Krajewski Date: October 23, 2000
RADOSŁAW KRAJEWSKI

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09/673986

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Bernd Kiessling et al.
Serial No: Art Unit:
Filing Date:
Title: CONTACTLESS MEASUREMENT OF WALL THICKNESS
Examiner:

Priority application: Country: Germany
Priority application number: 198 18 190.6

Priority date: 23 April 1998
PCT Application no: PCT/DE99/00834
PCT Application filing date: 23 March 1999

October 23, 2000 Poh211R1

REQUEST TO ACCEPT PATENT APPLICATION FOR ENTERING UNITED
STATES NATIONAL PHASE UNDER 35 USC § 371

Hon. Commissioner of Patents and Trademarks
Box PCT
Washington, D.C. 20231

SIR:

A patent application related to the above identified application was filed on March 23, 1999 under the PCT Treaty under the docket number PCT/DE99/00834. An English translation of the originally filed PCT application PCT/DE99/00834 is enclosed with this filing. A certificate of accurate translation into the English language is enclosed.

This submission is intended to result in complete fulfillment of any requirements necessary to enter the U.S. national phase under the Patent Cooperation Treaty and under

35 U.S.C. §371. If the documents submitted should be incomplete in any manner, then the undersigned attorney respectfully requests to be informed immediately in order to prevent loss of rights.

It is respectfully requested that the present application be treated as an application filed under the Section 35 U.S.C. §371 for transferring a PCT application PCT/DE99/00834, naming the United States, into the national phase and that the present application be granted any and all benefits and in particular those benefits relating to a priority recognition of prior filings under jurisdiction of treaty members and available under the Patent Cooperation Treaty (Washington Treaty), the Paris Convention Treaty, and under the United States Code based on the filing under the Patent Cooperation Treaty of PCT application PCT/DE99/00834.

If there should be any problems in granting the benefits available under the Patent Cooperation Treaty and/or 35 USC §371 based on such items as incompleteness of application, excessive time delays or defective application papers, then it is alternatively respectfully requested that prior to the expiration through abandonment of a filing under 35 USC §371 and under charging the required fees from deposit account, the present application be treated as an application and/or continuation application filed at a time

required under any one of the sections 35 U.S.C. §111, 35 U.S.C. §363, and/or 35 U.S.C. §365(c) as applicable and that the present application be treated as a continuation or continuation-in-part application of the PCT application PCT/DE99/00834.

Recognition of PCT national phase status or, respectively, continuation or continuation-in-part status under the PCT Treaty and/or of the claimed priority date of 23 April 1998 is respectfully requested for the patent application documents in the above captioned matter.

Respectfully submitted,

Bernd Kiessling et al.

By:

Horst M. Kasper, their attorney,
13 Forest Drive, Warren, N.J. 07059
Telephone: (908)757-2839
Telefax: (908)668-5262
Reg.No. 28,559; Ref No.: POH211

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Bernd Kiessling et al.
Serial No:
Filing Date:
Title: CONTACTLESS MEASUREMENT OF WALL THICKNESS
Examiner:

Priority application: Country: Germany
Priority application number: 198 18 190.6
Priority date: 23 April 1998

PCT Application no: PCT/DE99/00834
PCT Application filing date: 23 March 1999

October 23, 2000 Poh211PC

CLAIM OF PRIORITY

Hon. Commissioner of Patents and Trademarks
Box PCT
Washington, D.C. 20231

Sir:

Pursuant to Title 35, United States Code, Section 119 (1952), the undersigned hereby claims the benefit of the filing date of a prior foreign patent application forming a basis of the PCT application viz.:

Country: Germany
Application No.: 198 18 190.6
Date of Filing: 23 April 1999

In support of this claim, a certified copy of the aforementioned foreign patent application is believed to

have been submitted by the World Intellectual Property Organization and should have been received by the United States Patent and Trademark Office prior to the expiration of 20 months from the first priority date of the application.

Respectfully submitted,

Bernd Kiessling et al.

By:

Horst M. Kasper, their attorney
13 Forest Drive, Warren, N.J. 07059
Tel.:(908)757-2839; Fax:(908)668-5262
Reg.No.28,559; Docket No: Poh211

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I certify that this is an accurate translation of the document (EC-99) from the German into the English, and that I have seen the original. Signed

Susan Kubitz Sprachdienst bei DR. KUBITZ UMWELTTECHNIK

Susan Kubitz, Dip Trans. Iol.
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